

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. CONTRACT ID CODE <b>J</b>		PAGE OF PAGES <b>1   2</b>	
2. AMENDMENT/MODIFICATION NO. <b>0001</b>		3. EFFECTIVE DATE <b>04-Sep-2002</b>		4. REQUISITION/PURCHASE REQ. NO. <b>W16ROE-2183-2665</b>		5. PROJECT NO.(If applicable)	
6. ISSUED BY USA ENGINEER DISTRICT, NEW YORK ATTN: CENAN-CT ROOM 1843 26 FEDERAL PLAZA (DACW51) NEW YORK NY 10278-0090		CODE <b>DACW51</b>		7. ADMINISTERED BY (If other than item 6)  <b>See Item 6</b>		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				<input checked="" type="checkbox"/> 9A. AMENDMENT OF SOLICITATION NO. <b>DACW51-02-B-0021</b>			
				<input checked="" type="checkbox"/> 9B. DATED (SEE ITEM 11) <b>20-Aug-2002</b>			
				10A. MOD. OF CONTRACT/ORDER NO.			
				10B. DATED (SEE ITEM 13)			
CODE		FACILITY CODE					
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
<b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS.</b> <b>IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of this amendment is to make the following changes to specification SECTION 00900 - List of Documents, Exhibits and other Attachments, and SECTION 01355 - Environmental Protection attached.  Bid Opening date scheduled for 19 Sept 2002 at 11:00 A.M. remains unchanged.  NOTE: Bidders must acknowledge receipt of this amendment by the date specified in the solicitation (or as amended) by one of the following methods: in the space provided on the SF 1442 by separate letter or by signing block 15 below. FAILURE TO ACKNOWLEDGE AMENDMENTS BY THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR BID IN ACCORDANCE WITH THE LATE BID, LATE MODIFICATIONS OF BIDS OR LATE WITHDRAWAL OF BIDS (FAR 14.304).  ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL SOLICITATION REMAINS THE SAME.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR  _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA  BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED  <b>04-Sep-2002</b>	

## SECTION SF 30 BLOCK 14 CONTINUATION PAGE

**SUMMARY OF CHANGES****SECTION 00900 – List of Documents, Exhibits and other Attachments.**

1. On the Table of Contents, **letter D**, should read:

D PERMITS: NEW YORK STATE WATER QUALITY CERTIFICATE

2. The Water Quality Certificate is attached.

**SECTION 01355 – Environmental Protection**

1. Sections 7.2 through 7.2.2 are replaced with the following.

**7.2 Protection of Endangered and Threatened Species**

**7.2.1 Piping plover, Least and Roseate Terns (NO WORK WILL BE PERFORMED DURING THE ENVIRONMENTAL WINDOW OF APRIL 1 TO SEPTEMBER 15).**

**7.2.2 Seabeach Amaranth**

During each construction cycle, the Contractor will provide a qualified biologist(s) or botanist(s) to survey the work sites for the Federally threatened plant species, seabeach amaranth on a weekly basis from 15 June - 15 October to determine the presence of any plants. The Contractor shall take all reasonable precautions to ensure that his work is not conducted in a manner harmful to the seabeach amaranth. The Contractor's personnel shall be aware of the presence of such species and be sufficiently familiar with them so as to minimize contact with them during normal construction hours. If no such sites are identified then no further action will be required. However, all such sites that are identified will be fenced off by the Contractor within 24 hours of notification. The fencing shall remain in place through the end of construction. The fence will consist of snow fencing at a height of three feet around a 10 foot diameter. The biologist or botanist will determine the adequacy of fencing so erected, and determine the need for additional protection. The zone within the fencing shall be OFF LIMITS to all personnel at all times. In the event, that the plants cannot be avoided due to their spatial distribution and/or abundance, the Contracting Officer will contact the USFWS and New York Department of Environmental Conservation (NYSDEC) to obtain the necessary permits to allow for plant transplantation to nearby suitable habitat (within the action area if possible) and seed collection (which would later be rebroadcasted).

(End of Summary of Changes)